IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

THURSDAY, THE 12TH APRIL 2007 / 22ND CHAITHRA 1929

Crl.Rev.Pet.No. 1618 of 2007()

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CMP.2830/2003 of ADDL. CHIEF JUDICIAL MAGISTRATE COURT, TRIVANDRUM

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REVN. PETITIONER: COMPLAINANT

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K.NANDAKUMAR, EASWARA VILASOM,
KUNNAPPUZHA, ARAMADA, THIRUVANANTHAPURAM.

BY ADV. SRI.M.SREEKUMAR

RESPONDENT: STATE

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STATE OF KERALA, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.C.M.KAMMAPPU

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 12/04/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

**K.R.UDAYABHANU, J**

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CRL.R.P.No.1618 of 2007

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Dated this the 12th day of April, 2007

**O R D E R**

The revision petitioner is the complainant in the proceedings initiated under Section 138 of the Negotiable Instruments Act. The same stands dismissed under Section 204 (4) of the Code of Criminal Procedure.

2. It is submitted that the revision petitioner/ complainant was laid up and that he could not be present in the court in time. In the circumstances, the order of the court below is set aside. The court below is directed to permit the petitioner to further pursue the matter. Revision petitioner shall appear before the Additional Chief Judicial Magistrate Court, Thiruvananthapuram on 2.5.2007.

The criminal revision petition is allowed.

**K.R.UDAYABHANU,**
**JUDGE**

csl